

REMARKS

By this amendment, claims 1 and 2 have been canceled without prejudice to the filing of a continuation application.

Claims 3 and 5-7 stand rejected under 35 U.S.C. §102(e) over Humes, U.S. Patent No. 6,721,577. Applicants' respectfully disagree that Humes anticipates the claims. With respect to independent claim 3, the Examiner states that Humes teaches storing a plurality of telephone numbers in the device in advance of dialing the numbers, and entering an abbreviated command to sequence through the dialing of each stored number, referring to Figure 2, column 3, lines 44-55, and column 4, lines 4-14. However, the passage as cited by the Examiner do not appear to Applicants to teach what the Examiner states that they do. Column 3, lines 44-55 discuss the linking of directory numbers, but does not appear to teach or suggest the sequencing through the link list for the purpose of automatically dialing the numbers. The same holds true of column 4, lines 4-15, which simply talks about associations, and not automatic sequential dialing. Anticipation may be established only when a single prior art reference discloses, expressly or under principles of inherency, each and every element of a claimed invention. RCA Corp. v. Applied Digital Data Systems, 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984). Moreover, anticipation requires the presence of all elements of a claimed invention as arranged in the claim, such that a disclosure "that 'almost' meets that standard does not 'anticipate'." Connell v. Sears, Roebuck Co., 722 F.2d 1542, 1548, 220 USPQ 193, 198 (Fed. Cir. 1983). Thus, anticipation is precluded in this case.

Claim 4 stands rejected under 35 U.S.C. §103(a) over Humes in view of Lieben ('730). Though the Examiner argues that it would have been obvious to combine these references, there is no teaching or suggestion *from the prior art* to do so. In rejecting claims under 35 U.S.C. §103, the Examiner must provide a reason why one having ordinary skill in the pertinent art would have been led to combine the cited references to arrive at Applicant's claimed invention. There must be something *in the prior art* that suggests the proposed combination, other than the hindsight gained from knowledge that the inventor choose to combine these particular things in this particular way. Uniroyal Inc. v. Rudkin-Wiley Corp., 837 F.2d 1044, 1051, 5 USPQ2d 1434, 1438 (Fed. Cir. 1988). The Examiner is also required to make specific findings on a suggestion to combine prior-art references. In Re Dembeczak, 175 F.3d 994, 1000-01, 50 USPQ2d 1614, 1617-19 (Fed. Cir. 1999).

Based upon the foregoing comments, Applicants believe this application is in condition for allowance. Questions regarding this application may be directed to the undersigned attorney by telephone, facsimile or electronic mail to expedite prosecution.

Respectfully submitted,

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